

### **302 KAR 78:020. Use, sale and distribution of tobacco products.**

RELATES TO: KRS 438.305-438.340

STATUTORY AUTHORITY: KRS 438.340

NECESSITY, FUNCTION, AND CONFORMITY: KRS 438.305 to 438.340 requires a seller of tobacco products to obtain proof of the age of a prospective buyer or recipient of tobacco products if he has reason to believe the prospective buyer or recipient is under eighteen (18) years old; the establishment of the types of documentation accepted as proof of age; and notification of the employees of a seller of tobacco products and of the public of the requirements of KRS 438.305 to 438.340.

Section 1. Proof of age shall be by a driver's license or nondriver identification card issued by a Kentucky Circuit Clerk.

Section 2. (1) A retail establishment selling tobacco products shall post a sign no smaller than five and one-half (5 1/2) inches in width by eight and one-half (8 1/2) inches in length, in a conspicuous place in the establishment.

(2) The sign shall contain the following wording: WARNING: THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO ANY PERSON UNDER AGE EIGHTEEN IS PROHIBITED BY KENTUCKY LAW. KRS 438.310(1). (23 Ky.R. 1471; Am. 1934; eff. 11-11-96.)